

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1381 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 35-42-4-6, AS AMENDED BY P.L.124-2005,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2007]: Sec. 6. (a) As used in this section, "solicit" means to
6 command, authorize, urge, incite, request, or advise an individual:
7 (1) in person;
8 (2) by telephone;
9 (3) in writing;
10 (4) by using a computer network (as defined in IC 35-43-2-3(a));
11 (5) by advertisement of any kind; or
12 (6) by any other means;
13 to perform an act described in subsection (b) or (c).
14 (b) A person eighteen (18) years of age or older who knowingly or
15 intentionally solicits a child under fourteen (14) years of age, or an
16 individual the person believes to be a child under fourteen (14) years
17 of age, to engage in:
18 (1) sexual intercourse;
19 (2) deviate sexual conduct; or
20 (3) any fondling or touching intended to arouse or satisfy the
21 sexual desires of either the child or the older person;
22 commits child solicitation, a Class D felony. However, the offense is
23 a ~~Class C~~ **Class B** felony if it is committed by using a computer
24 network (as defined in IC 35-43-2-3(a)).

(c) A person at least twenty-one (21) years of age who knowingly or intentionally solicits a child at least fourteen (14) years of age but less than sixteen (16) years of age, or an individual the person believes to be a child at least fourteen (14) years of age but less than sixteen (16) years of age, to engage in:

(1) sexual intercourse;

(2) deviate sexual conduct; or

(3) any fondling or touching intended to arouse or satisfy the sexual desires of either the child or the older person;

commits child solicitation, a Class D felony. However, the offense is a ~~Class C~~ **Class B** felony if it is committed by using a computer network (as defined in IC 35-43-2-3(a)).

(d) In a prosecution under this section, including a prosecution for attempted solicitation, the state is not required to prove that the person solicited the child to engage in an act described in subsection (b) or (c) at some immediate time."

Page 3, after line 3, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2007] **IC 35-42-4-6, as amended by this act, applies only to offenses committed after June 30, 2007.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1381 as printed January 26, 2007.)

Representative Hinkle